

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTON PERAIRE-BUENO, and JAMES
PERAIRE-BUENO,

Defendants.

Case No.: 1:24-cr-00293-JGLC

ORAL ARGUMENT REQUESTED

**DEFENDANTS' NOTICE OF JOINT
MOTIONS TO DISMISS THE INDICTMENT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and materials cited therein, Defendants Anton Peraire-Bueno and James Peraire-Bueno will jointly move this Court before the Honorable Jessica G.L. Clarke, in Room 11B of the United States District Court, 500 Pearl Street, New York, New York, 10007, for an order dismissing the Indictment. Specifically, the Peraire-Buenos will move the Court to dismiss the Indictment on three independent grounds:

- (1) Motion to dismiss the Indictment for failure to provide fair notice under the Fifth Amendment to the United States Constitution.
- (2) Motion to dismiss the Indictment for failure to allege essential elements of the charged offenses under the Fifth and Sixth Amendments to the United States Constitution and Federal Rules of Criminal Procedure 7(c) and 12(b)(3)(B)(v).
- (3) Motion to dismiss the Indictment as unconstitutionally vague under the Fifth and Sixth Amendments to the United States Constitution and Federal Rules of Criminal Procedure 7(c) and 12(b)(3)(B)(iii).

PLEASE TAKE FURTHER NOTICE, that pursuant to the Court's August 22, 2024 Order (ECF 39), opposition papers, if any, shall be served by January 17, 2024, and reply papers, if any, shall be served by January 31, 2025.

The Peraire-Buenos respectfully request oral argument on these motions.

Date: December 6, 2024

Respectfully submitted,

By: /s/ Katherine Trefz

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CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record in this matter who are on the CM/ECF system.

/s/ Katherine Trefz
Katherine Trefz